



AF / 3641
JFW

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	E. Wendell Diller
Application No.:	09/923272
Filed:	August 3, 2001
For:	Elongate Vented Gun Barrel (quiet gun)
Group Art Unit:	3641

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Docket No.: D55.2B-10027-US01

TRANSMITTAL LETTER

1. In regard to the above-identified application, in addition to this 2 page transmittal letter, we are submitting the attached: 4 page Information Disclosure Statement, 3 pg Listing of References, 4 references and post card.
2. With respect to fees:
 - ☐ No additional fee is required.
 - ☐ Attached is check(s) in the amount of \$
 - ☒ Charge Credit Card, PTO-2038 Form is attached
 - ☒ Charge any fee deficiency to our Deposit Account No. 22-0350.
3. **CONDITIONAL PETITION FOR EXTENSION OF TIME**

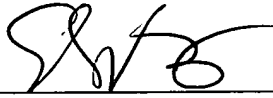
This conditional petition is being filed along with the papers identified in Item 1 above and provides for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time or for a petition and fee for any other matter petitionable to the Commissioner as required. If any extension of time for the accompanying response is required or if a petition for any other matter is required, by petitioner, Applicant requests that this be considered a petition therefor.
4. Notwithstanding paragraph 2 above, if any additional fees associated with this communication are required and have not otherwise been paid, including any fee associated with the Conditional Petition for Extension of Time, or any request in the accompanying papers for action which requires a fee as a petition to the

Commissioner, please charge the additional fees to Deposit Account No. 22-0350.
Please charge any additional fees or credit overpayment associated with this
communication to the Deposit Account No. 22-0350.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS


Date: August 23 2005

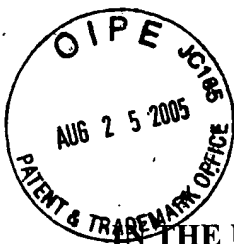
By: 
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Certificate Under 37 CFR 1.8: I hereby certify that this Transmittal Letter and the paper(s) as described herein, are being deposited in the U.S. Postal Service, as FIRST CLASS MAIL, addressed to Mail Stop, Amendment, Commissioner for Patent, P.O. Box 1450, Alexandria, VA 22313-1450, on August 23rd, 2005.


Mary C. Granger Julie Emerson



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	E. Wendell Diller
Application No.:	09/923272
Filed:	August 3, 2001
For:	ELONGATE VENTED GUN BARREL
Group Art Unit:	3641

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Docket No.: D55.2H-10027-US01

INFORMATION DISCLOSURE STATEMENT

Listed below or on an attached form listing the cited references and/or a copy of a PTO-892 form is information known to applicant(s). A copy of each listed foreign patent and each listed publication other than U.S. patents and U.S. patent application publications is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98, *except that* U.S. patents and U.S. published applications from which priority is claimed under 35 U.S.C. §120, and documents cited in such priority applications, may be omitted from the enclosures pursuant to 37 C.F.R. 1.98(d). Applicant's submission of copies of unpublished U.S. applications does not constitute a waiver of the confidentiality of such applications. As such, **Applicant requests that any copies of unpublished US applications submitted herewith be excluded from the file wrapper pursuant to 37 C.F.R. §1.14.**

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If the form listing the cited references or PTO-892 from a prior application is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is prior art, or is or is considered to be, material to patentability as defined in §1.56.

Applications that are listed on the accompanying form listing the cited references as related by priority are related by priority claim under 35 USC §120. Pursuant to 37 CFR §1.98(d), no copies of cited art in a previous application(s) to which priority was claimed need be submitted. Applicant is providing copies of the form listing the cited references and/or 892 forms from these cases.

_____ I. This statement qualifies as a no-fee Information Disclosure Statement under 37 C.F.R. §1.97(b) or otherwise because to the knowledge of the undersigned attorney it is being filed (check all that apply):

- _____ (1) within 3 months of the filing date of the application (other than a CPA); or
- _____ (2) within 3 months of entry of the national stage; or
- _____ (3) before the mailing of a first Office Action on the merits;
- _____ (4) before the mailing of a first Office Action after the filing of a request for continued examination (RCE) under §1.114;
- _____ (5) as part of a continued prosecution application (CPA); or
- _____ (6) during the period of a suspension of action for a CPA under 37 C.F.R. §1.103(b).

X II. This statement is believed to require a fee or the submission of a certification under 37 C.F.R. §1.97 (c) or otherwise. If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application (other than CPA); (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; (3) the mailing of a first Office Action on the merits; (4) the mailing of a first Office Action after the filing of a request for continued examination under §1.114; or (5) after the filing of a request for a continued prosecution application, but before the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311 or an action that otherwise closes prosecution in the application, then:

- _____ (1) a certification as specified in §1.97(e) is provided below; or
- X (2) a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

____ III. 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, but before payment of the issue fee, then:

- ____ (1) a certification as specified in §1.97(e) is completed below; and
- ____ (2) a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with payment of other papers filed together with this statement.

X IV. *Fee Authorization*. If any fee is due for consideration of this Information Disclosure Statement and full payment has not been submitted herewith, regardless of which boxes have been checked above, the Commissioner is hereby authorized to charge any additional fees associated with this communication to Deposit Account No. 22-0350. The Commissioner is hereby authorized to credit any overpayment associated with this communication to Deposit Account No. 22-0350.

If paragraph II.1 or III is checked, also check one of the paragraphs below

____ I hereby certify, under 37 CFR §1.97(e)(1), that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the date of the filing of this information disclosure statement.

____ This communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

____ I hereby certify, under 37 CFR §1.97(e)(2), that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.


For the purpose of this certification, Applicant considers the PCT International Search Authority to constitute a foreign patent office.

If this Information Disclosure Statement has been submitted without the appropriate box checked, Applicant requests that this Information Disclosure Statement be considered nevertheless if it is timely submitted under any of the provisions of 37 C.F.R. §1.97 or otherwise. Finally, if any petition is necessary to ensure consideration of this Information Disclosure Statement, Applicant requests that this be treated as such a petition.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: August 23, 2005

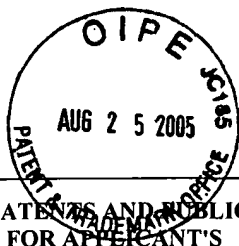
By: 
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Telephone: (952) 563-3000
Facsimile: (952) 563-3001

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LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)				ATTY DOCKET NO.: D55.2-10027 US01		APPLICATION NO.: 09/923272	
				APPLICANT: Diller			
				FILING DATE: 8/3/2001		GROUP: 3641	
REFERENCE DESIGNATION				U.S. PATENT AND PUBLISHED APPLICATION DOCUMENTS			
EXAM'S INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE IF APPROPRIATE	
	AA	618901	02/1899	Peterson et al			
	AB	1380171	05/1921	Abbot			
	AC	1605741	11/1926	Jones			
	AD	1628896	05/1927	Medearis			
	AE	1864916	06/1932	Gachassin-Lafite			
	AF	2512850	06/1950	Crandall	42/79		
	AG	2742821	04/1956	Sweetman	89/14		
	AH	2842024	07/1958	Mutter	89/14		
	AI	2916970	02/1056	Mutter	89/14		
	AJ	3405638	10/1968	Stoner, Jr	102/87		
	AK	3760735	09/1973	Schmitt	102/87		
	AL	4080899	03/1978	Luban	102/42		
	AM	4167904	09/1979	Ferri	102/42		
	AN	4546564	10/1985	A'Costa	42/76		
	AO	4553481	11/1985	Ricci	102/458		
	AP	4722261	02/1988	Titus	89/7		
	AQ	4841866	06/1989	Miesner	102/458		
	AR	5272827	12/1993	Vang et al	42/79		
	AS	5299502	04/1994	Maki	102/457		
	AT	5355765	10/1994	Rogers	89/14.4		
	AU	5450795	09/1995	Adelman	102/444		
	AV	5587549	12/1996	Clouse	89/14.3		
	AW	5844162	12/1998	Renner	89/14.3		
	AX	6065384	05/2000	Widder et al	89/14.05		
	AY	6223458	05/2001	Schwinkendorf et al	42/1.06		
	AZ	6694887	02/2004	Diller	102/458		
EXAMINER			DATE CONSIDERED				
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							



LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY DOCKET NO.: D55.2-10027US01	APPLICATION NO.: 09/923272
	APPLICANT: E. Wendell Diller	
	FILING DATE: Aug. 3, 2001	GROUP: 3641

REFERENCE DESIGNATION		U.S. PATENT AND PUBLISHED APPLICATION DOCUMENTS				
EXAM'S INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE IF APPROPRIATE
	AA	6539873	04/2003	Diller	102/458	
	AB	6886468	02/2004	Diller	102/458	
	AC					
	AD					
	AE					
	AF					
	AG					
	AH					
	AI					
	AJ					
	AK					
	AL					

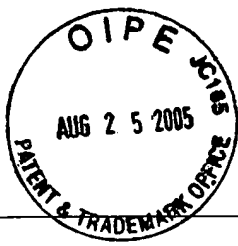
FOREIGN PATENT DOCUMENTS				
		DOCUMENT NUMBER	DATE	COUNTRY
	BA	1474070	1/1966	FR
	BB	94/23264	10/1994	WO
	BC			
	BD			
	BE			

OTHER ART (Including Author, Title, Date, Pertinent Pages, Ect.)		
	CA	SMALL ARMS & CANNONS, by C. J. Marchant Smith and P. R. Haslum, Brassey's Publishers Limited © 1982, pp 25 and 101
	CB	GUNS, MORTARS & ROCKETS by J. W. Ryan, Brassey's Publishers Limited © 1982 pp.47, 48, 125
	CC	

EXAMINER	DATE CONSIDERED
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UNPUBLISHED US APPLICATIONS NOT RELATED BY PRIORITY (COPIES ENCLOSED)	ATTY DOCKET NO: D55.2-10027US01	APPLICATION NO. 09/923272
	APPLICANT: E. Wendell Diller	
	FILING DATE: Aug 3, 2001	GROUP: 3641

UNPUBLISHED US APPLICATIONS NOT RELATED BY PRIORITY

EXAM'S INIT.		APPLICATION NO.	FILING DATE	INVENTOR(S)
	DA			
	DB			
	DC			
	DD			
	DE			

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if application considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

US APPLICATIONS RELATED BY PRIORITY (COPIES NOT ENCLOSED)	ATTY DOCKET NO.: D55.2-10027US01	APPLICATION NO. 09/923272
	APPLICANT: E. Wendell Diller	
	FILING DATE: Aug. 3, 2001	GROUP: 3641

US APPLICATIONS RELATED BY PRIORITY

EXAM'S INIT		APPLICATION NO.	FILING DATE	PATENT NO.	INVENTOR(S)	FORM 1449/892 ENC
	EA					
	EB					
	EC					
	ED					
	EE					
	EF					

EXAMINER

DATE CONSIDERED

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